



Climate Change (Scotland) Act 2009

2009 asp 12

PART 5

OTHER CLIMATE CHANGE PROVISIONS

CHAPTER 2

LAND USE

Forestry

59 Power to modify functions of Forestry Commissioners

- (1) The Scottish Ministers may, by order, modify the functions of the Forestry Commissioners in or as regards Scotland.
- (2) The Scottish Ministers may make an order under subsection (1) only where they consider it necessary or expedient to do so—
 - (a) in order to comply with their duty under section 1, 2(1) or 3(1)(b); or
 - (b) otherwise in relation to climate change.
- (3) An order under subsection (1) may in particular include provision enabling the Forestry Commissioners to—
 - (a) form, or participate in the forming of, a body corporate;
 - (b) invest in a body corporate;
 - (c) provide loans;
 - (d) establish a trust;
 - (e) act, or appoint a person to act, as—
 - (i) an officer of a body corporate; or
 - (ii) a trustee of a trust.
- (4) Any body corporate formed or trust established by the Forestry Commissioners by virtue of an order under subsection (1) is a public body or office holder for the purposes of section 1 of the Nature Conservation (Scotland) Act [2004 \(asp 6\)](#).